

REMARKS

Reexamination and reconsideration of claims 74, 76, and 78-90 are respectfully requested. Additionally, a petition for a one-month extension of time under 37 C.F.R. 1.136(a) is included herewith.

As a recap, the Office Action dated November 20, 2002 rejected claims 74, 76, 78-81, 83-86, and 88-90 under 35 U.S.C. sec. 103(a) applying U.K. Pat. App. No. 2,277,812 ('812) in view of either U.S. Pat. No. 5,371,827 ('827) or U.S. Pat. No. 4,790,626 ('626). The outstanding Office Action merely adds another reference to the sec. 103(a) rejection, but the combination of references in the rejection still fails to teach, disclose, or otherwise suggest each and every feature of the pending claims. Furthermore, applicants assert that the Office Action misinterpreted the new reference used in the current rejection.

Specifically, the outstanding Office Action rejected claims 74, 76, 78-81, 83-86, and 88-90 under 35 U.S.C. sec. 103(a) applying U.K. Pat. App. No. 2,277,812 ('812) in view of U.S. Pat. Nos. 5,371,827 ('827), 4,790,626 ('626), and WIPO Publication WO 90/08336 ('336). For publications to be applicable under sec. 103(a), the combination of teachings must, *inter alia*, expressly or inherently, teach, disclose, or suggest each and every feature of the claimed invention. Additionally, motivation and suggestion to combine the patents must be present.

As stated previously, the '812 patent teaches an underground container 1 having a cover 4 which contains a module 21 therein. Underground container 1 has cable inlet nozzles 5 that are sized to receive resilient cable inlet pipes 25 that are inserted therein. Cables 7 pass through cable inlet pipes 25 and are movable therein and can be protected from dirt by a bushing seal of expanded material or a wide-meshed fabric 26. See Fig. 1 and p. 4, ll. 4-13 of the '812 patent. In other words, the '812

09/101,846

P-981197

Page 2

patent requires the intact cable to enter interior spaces. In this case, the intact cable enters both the underground container 1 and module 21 as shown in Fig. 1.

The '827 patent teaches an end connector having a housing member for connecting a fiber optic cable to a port associated with a piece of equipment. The housing member of the '827 patent has a passageway therein for passing the cable or sheath 26 therethrough into the interior space of the equipment. See Fig. 1 and the Abstract of the '827 patent. Likewise, the '626 patent teaches a connection between an optical fiber cable and a junction box requiring a cable 1A to pass into an interior space of the junction box. See the Figure of the '626 patent. The '336 publication also requires the intact cable to enter an interior space of the closure as best shown in Figs. 5 and 11. Stated another way, none of the references teach, disclose, or otherwise suggest having waveguide-receiving pipes that terminate at a sealing connection disposed exteriorly of the interior space.

Claim 74 recites an optical-fiber transmission system including a cable closure body and fiber optic cables, the system also includes cable lead-in spigots attached to the cable closure body and being in communication with an interior space of the closure body, the cable lead-in spigots having respective outer surfaces, the fiber optic cables include waveguide-receiving pipes and optical waveguides, the waveguide-receiving pipes respectively having outer surfaces and at least one optical waveguide therein, the waveguide-receiving pipes being respectively associated with the lead-in spigots, and the waveguide-receiving pipes being connected to the lead-in spigots by respective sealing connections, the waveguide-receiving pipes terminating at the sealing connection and being disposed exteriorly of the closure body interior space, and respective waveguides passing the sealing connections and entering the

closure body interior space, wherein the sealing connections comprise respective sleeves having respective interior surfaces, the interior surfaces fittingly contacting the respective outer surfaces of the lead-in spigots and the respective outer surfaces of the waveguide-receiving pipes.

Claim 81 recites an optical-fiber transmission system including a cable closure body, a fiber optic cable, cable lead-in spigots being attached to the cable closure body and being in communication with an interior space of the closure body, the lead-in spigots having a terminal end section, the fiber optic cables having waveguide-receiving pipes and optical waveguides, the waveguide-receiving pipes respectively having at least one optical waveguide therein, the waveguide-receiving pipes being respectively associated with the lead-in spigots and having a terminal end section, and the waveguide-receiving pipes being connected to the lead-in spigots by respective sealing connections, the waveguide-receiving pipes terminating at the sealing connections and being disposed exteriorly of the closure body interior space so that respective terminal end sections of the lead-in spigots and the waveguide-receiving pipes are in contact, so that the waveguides pass the sealing connection and enter the closure body interior space.

Claim 86 recites an optical-fiber transmission system, including a cable closure body, fiber optic cables, an interior space of the cable closure body being defined by a wall surface of the closure body, the wall surface including at least one ledge for supporting a waveguide tray, cable lead-in spigots being attached to the cable closure body and being in communication with the interior space of the closure body, the fiber optic cables including waveguide-receiving pipes and optical waveguides, the waveguide-receiving pipes respectively having at least one optical waveguide therein, the waveguide-receiving pipes being respectively associated with the lead-in

spigots, and the waveguide-receiving pipes being connected to the lead-in spigots by respective sealing connections, the waveguide-receiving pipes terminating at the sealing connection and being disposed exteriorly of the closure body interior space, and respective the waveguides passing the respective sealing connections and entering the closure body interior space.

It is respectfully submitted that the applied art, taken alone or in combination with the other art of record, does not implicitly or expressly teach, disclose, or suggest all of the features of the claims. The Office Action states that the '336 patent "...teaches a splice case for an optical fiber cable (See Figs. 1 and 11) wherein the...waveguide-receiving pipes (See 32 in Figure 11), which terminate at the sealing connection and are disposed exteriorly of the closure body interior space (See Figure 11)..." See the Office Action dated March 31, 2003 at pp. 3-4. This is an incorrect assertion and lacks support by concrete evidence of record. The '336 publication clearly teaches that an intact cable 32 passes into the interior space of the enclosure. Thus, the Office Action misinterpreted the disclosure of the '336 publication.

As objective evidence of this fact, Applicants point to page 5 of the '336 publication which states, "[t]he outlets [31] are preferably in the form of tubes protruding from the base (or other part) of the hollow article, and means is preferably provided for environmentally sealing the outlets to the cables that passes through them." Applicants assert that since cables 32 pass through outlets 31, they must enter the interior space of the enclosure. This statement from the '336 publication contradicts the assertion in the Office Action. For at least this reason, the Office Action failed to make a *prima facie* case of obviousness and the rejection of claims 74, 76, 78-81, 83-86, and 88-90 is warranted.

Additionally, the previous Office Action states Applicants

09/101,846
P-981197
Page 5

arguments with respect to the other references, which will not be duplicated herein for the sake of brevity.

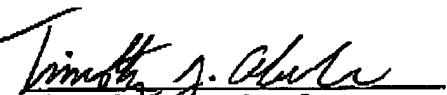
Claims 82 and 87 were rejected under 35 U.S.C. sec. 103(a) applying the '812, '827, '626, and '336 patents and publications in view of U.S. Pat. No. 5, 695,224 ('224). The sec. 103(a) rejection of claims 82 and 87 is respectfully traversed for at least the reasons stated above with respect to claims 81 and 86. Withdrawal of the sec. 103(a) rejection of claims 82 and 87 is warranted and is respectfully requested.

No new fees are believed due in connection with this Reply. If any fees are due in connection with this Reply, please charge any fees, or credit any overpayment, to Deposit Account Number 50-0425.

Allowance of all pending claims is believed to be warranted and is respectfully requested.

The Examiner is welcomed to telephone the undersigned to discuss the merits of this patent application.

Respectfully submitted,



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